

Exhibit B

From: Rogers, David M. <drogers@Campbell-trial-lawyers.com>

Sent: Wednesday, March 18, 2020 3:24 PM

To: 'Stern, Corey' <CStern@levylaw.com>; Abigail DeHart <Abigail_DeHart@mied.uscourts.gov>

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Subject: Flint Cases and Request for Telephone conference

Dear Ms. DeHart,

I would like to submit this email which was sent to all counsel a short time ago for the court's consideration. Thank you.

All,

Thank you for your patience as we considered the matters raised in the telephone conversation that we finished earlier this afternoon. Following up on that conversation, we agree to:

- Send letters via federal express to all of the persons who have been served with subpoenas for house inspections (except the plaintiffs who were served by mistake) informing them that the subpoenas are withdrawn and no house inspections will take place until they are advised further.
- Adopt a protocol moving forward whereby notices are served on all counsel identifying the houses we want to inspect pursuant to the House Inspection Protocol including the identity of the owners based information currently known to us. Anyone who objects to any inspection, can do so within 10 days and the inspections as to which objection has been made will not take place until action is taken by the court on the objection. For those inspections as to which no objection has been made, Rule 45 Subpoenas will be served on the owners with copies sent to all counsel requesting that inspections of

the houses be permitted and that the owners contact us to arrange for a convenient date on which the inspections can be done.

Please let me know if you have any comments or suggested revisions so that I can send an email describing these agreements to the court before the call at 3:30.

Let me stress again that the subpoenas issued to any represented persons were a mistake that we accept; we did not realize the subpoena recipients were represented when the subpoenas issued. Likewise, notice was not provided to all parties because of a miscommunication among VNA counsel about who was to provide that notice—it was in no way an attempt to hide any issue. We contacted counsel immediately upon realizing these issues and have had no other contact with represented persons. Lastly, service was made in light of imminent discovery deadlines and the requirements imposed by relevant Eastern District authority construing FRCP 45.

Thank you.

Dave Rogers
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